

1 | what had occurred prior and you said on certain occasions  
2 | which implies that there were occasions when the document did  
3 | not memorialize what had occurred.

4 |       A     Oh, no, sir. What I meant by that is there were  
5 | certain occasions where it simply was not convenient for the  
6 | directors to meet together in person, so for the convenience  
7 | of the directors who may have been traveling or whatever, on  
8 | certain occasions action was taken by this written consent  
9 | method.

10 |       Q     And what I want to find out from you is isn't it  
11 | true that this document memorializes in writing what had been  
12 | the practice of Television Translator, Inc. prior to January  
13 | 26, 1987?

14 |       MR. TOPEL: Your Honor, I think it's clear that  
15 | there's a miscommunication.

16 |       JUDGE CHACHKIN: There apparently is a -- we're  
17 | concentrating on the second "Resolve further" where it deals  
18 | with Trinity acting as accounting agent and that's what Mr.  
19 | Cohen is asking you about.

20 |       DR. CROUCH: The last paragraph?

21 |       JUDGE CHACHKIN: The last paragraph.

22 |       MR. COHEN: I thought I made that clear and,  
23 | obviously, I didn't, Your Honor, and thank you for the help.

24 |       BY MR. COHEN:

25 |       Q     I'm only asking you -- I pointed out to you. I'm

1 only asking you about the second paragraph.

2 A So the question again, sir, is? I'm sorry.

3 Q Isn't it true that this -- that that second  
4 paragraph simply memorializes in writing what had been the  
5 practice of Translator Television, Inc. prior to January 26,  
6 1987?

7 A In essence, yes.

8 Q Thank you. Is this Action by Written Consent still  
9 in effect?

10 A To my knowledge it is, yes, sir.

11 Q I want you to look at Bureau Exhibit 371.

12 MR. TOPEL: That's in Volume, 6, Doctor.

13 MR. COHEN: Excuse me. I'm in error. Strike that.  
14 That was -- I gave you the wrong, the wrong number.

15 (Bell ringing in background.)

16 JUDGE CHACHKIN: I think it's just a test.

17 MR. TOPEL: What do we do, Judge?

18 JUDGE CHACHKIN: Stay here. If it rings for about a  
19 minute or so then I figure --

20 MR. COHEN: Look at Bureau Exhibit 147, if you  
21 would.

22 MR. TOPEL: Volume 3, Dr. Crouch. 147?

23 MR. COHEN: Yeah.

24 DR. CROUCH: Special Meeting?

25 BY MR. COHEN:

1 Q Yes.

2 A Yes. I'm there.

3 Q The question I have is you'll notice in the second  
4 paragraph it states that Pastor Espinoza was elected to serve  
5 as Vice President. Do you see that?

6 A Yes.

7 Q Was there any discussion as to what Pastor  
8 Espinoza's duties were to be as Vice President?

9 A I think that was pretty well enumerated in the, in  
10 the Bylaws, to act in the absence of the, of the President.

11 Q In 1987 did you have any knowledge that Pastor  
12 Espinoza had read the Bylaws?

13 A I do not have personal knowledge of that, sir, no.

14 Q I want to ask you about the time when Pastor Aguilar  
15 became elected as a Board member and my question is was he  
16 ever told by you or Mrs. Duff that he had any duties as a  
17 director other than attending the Board meetings?

18 A In that meeting where Mr. Aguilar, Reverend Aguilar,  
19 was, was invited to serve on the Board, I recall a general  
20 discussion of the purposes of TTI and NMTV and that he would  
21 be expected to attend Board meetings, that he would be  
22 expected to assist us in -- with valuable input into the  
23 business direction and affairs of the, of the corporation. We  
24 certainly discussed with him the general scope of the purposes  
25 and mission of the corporation.

1 Q And this is at the time that he was elected as a  
2 director?

3 A Yes, sir.

4 MR. COHEN: Mr. Topel, will you show the witness his  
5 deposition on October 5th and I have referenced page 136 and  
6 line 21 going on to the next paragraph? Actually, I want to,  
7 I want to start reading to the witness on page 137, line 2,  
8 and you can read anything else you -- he can read as much as  
9 he wants, Your Honor, to get himself -- before or after those  
10 lines. I have no objection to the witness -- he can read  
11 before or after to himself. The only questions that I want to  
12 read into the record are beginning on page 37 (sic), line 2.

13 JUDGE CHACHKIN: Mr. Cohen, I've told you if you  
14 want to use the deposition for impeachment, just read it into  
15 the record.

16 MR. COHEN: That's what I'm going to do.

17 JUDGE CHACHKIN: You don't have to show it to the  
18 witness.

19 MR. COHEN: Oh, okay. Oh, I see, Your Honor. I --

20 JUDGE CHACHKIN: Unless you want to refresh his  
21 recollection.

22 MR. COHEN: Your point is well taken. I forgot your  
23 instructions.

24 JUDGE CHACHKIN: Okay.

25 MR. COHEN: Thank you, Your Honor. I want to read

1 into the record, Your Honor, the witness' deposition at line  
2 2. The question was, "Was he," and that refers to Pastor  
3 Aguilar, "ever told by you or Mrs. Duff to your knowledge that  
4 he had duties other than attending the Board meetings -- that  
5 he would have duties other than attending the Board meetings?"  
6 Answer, "I'm not aware of that." Question, "I beg your  
7 pardon, sir?" Answer, "I'm not aware of any such  
8 communication." Now I want to ask you another question.

9 MR. TOPEL: Your Honor, I would --

10 JUDGE CHACHKIN: Is there something you want to  
11 read?

12 MR. TOPEL: Yes, I would, Your Honor.

13 JUDGE CHACHKIN: What are you reading from?

14 MR. TOPEL: The deposition, the previous page.

15 JUDGE CHACHKIN: What page is that?

16 MR. TOPEL: Page 136 starting with line 6.

17 Question, "Now the minutes says, 'The responsibility of the  
18 Board membership was explained to Mr. Aguilar.'" "What was  
19 explained to Mr. Aguilar as to what the responsibilities of  
20 Board membership were?" Answer, "I can't recall specific  
21 language or sentences, but in a broad sense we made it clear  
22 what National Minority was, a corporation whose goal was to  
23 integrate minorities into television station ownership, that  
24 the demands would be to attend the Board meetings, give us  
25 valuable input into the future growth and direction of

1 National Minority, to certainly help us with some of the  
2 programming goals and concepts that were envisioned for  
3 National Minority, some of which he had already been involved  
4 with, just generally what it would require to be a director of  
5 National Minority T.V."

6 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

7 BY MR. COHEN:

8 Q Was Pastor Aguilar ever told how much time he would  
9 be expected to devote to being an officer and a director of  
10 NMTV?

11 A I don't recall any specific estimate of time, no,  
12 sir.

13 Q Was he ever told how much time he should be prepared  
14 to devote to being a director?

15 A I recall no such specific time instructions, no,  
16 sir.

17 Q Was he ever told how much time he should be prepared  
18 to commit to being an officer?

19 A I know of no such instruction as to time.

20 Q And, of course, he was elected Vice President when  
21 he was elected a director. Was he ever told what the duties  
22 and responsibilities of the Vice Presidency were?

23 A I have no independent recollection of him being told  
24 specifically that, no, sir.

25 Q I want to ask you a few questions about the

1 Community Grace project. How much -- in terms of funds how  
2 much money was going to come from Trinity to effectuate the  
3 investment or the loan in Community Grace?

4 A I believe it was to be a joint undertaking between  
5 Trinity and National Minority. I believe Trinity had pledged  
6 to contribute \$1 million and that National Minority, who had  
7 grown to the point where it was able to assume some of the  
8 responsibility, had pledged another half-million for a total  
9 of \$1,500,000.

10 Q Now, it's my understanding that you requested Norman  
11 Juggert to assist in handling the effectuation of the  
12 Community Grace funding. Am I correct?

13 A Well, Mr. Juggert was certainly in on all of the  
14 deliberations concerning this. I'm not sure I quite  
15 understand what you mean by the effecting of the financing.

16 Q Well, after the vote was taken at the Board meeting,  
17 and I can show you those minutes if you need them --

18 A No.

19 Q -- that needed to be implemented.

20 A Yes.

21 Q And Mr. Juggert was asked by you to be very involved  
22 in the implementation of that, of that Board action by NMTV.  
23 That's what I mean by implementing. Am I correct?

24 A He may have been involved in it. That would have  
25 been more a job of the Department of Finance. I'm not sure to

1 | what extent he was involved in implementing the financing.

2 | Was that the word you used?

3 |       Q     Yes.

4 |       A     Yeah.

5 |       Q     Well, didn't he -- didn't you ask Mr. Juggert to  
6 | pursue this matter, this matter meaning the effectuation of  
7 | the, of the Board minutes?

8 |       A     I certainly believe we asked him to look into the  
9 | legal aspects and ramifications of it, but I'm not so sure  
10 | that he got that deeply involved in the financial aspect of  
11 | it.

12 |       Q     Well, he -- I want to put before you a document  
13 | that's been marked for identification as Glendale Exhibit 218.  
14 | It has not been offered in evidence because Mr. Juggert has  
15 | not testified yet. But, first, have you seen this document  
16 | prior to this second in the form that it's, that it's put  
17 | together as Glendale Exhibit 218 for identification?

18 |       A     No, sir, I don't believe I have.

19 |       MR. TOPEL: I'm sorry. I was leaving the witness  
20 | stand.

21 |       MR. COHEN: Sure.

22 |       MR. TOPEL: What was that last question?

23 |       MR. COHEN: I asked him whether he had seen before  
24 | this second Glendale Exhibit 218 for identification in the  
25 | form that it's -- it exists.



1 DR. CROUCH: I may have seen some of the individual  
2 documents, sir, but I -- you know, certainly not in the form  
3 that you have presented to me, no, sir.

4 BY MR. COHEN:

5 Q Well, looking at this document -- look at page 11.  
6 You see, this is a memo to you, Jane Duff and Terry Hickey  
7 from Mr. Juggert about Community Grace?

8 A Yes, sir, I'm there.

9 Q And there are several documents in that category  
10 which I will point out to you where you are either copied or  
11 written to by Mr. Juggert. Page 14 is an instance of that.

12 A Yes, sir.

13 Q Page 30, a memo to you and Jane Duff and Terry  
14 Hickey from Mr. Juggert reporting on his meetings with  
15 Community Grace --

16 A Yes, sir, I see that.

17 Q -- representatives.

18 A I see that, yes, sir.

19 Q Page 32 is a memo to you and to Jane Duff and Terry  
20 Hickey transmitting articles from the newspaper concerning --

21 A Yes, sir, I see --

22 Q -- the L.A. Times.

23 A I see that.

24 Q Several faxes to you including one on page 38 from  
25 Mr. Juggert to you. A memo dated November 6, 1992 which would

1 be page 42 bringing you up to speed on -- keeping you up to  
2 speed on developments concerning the Community Grace matter.

3 A Yes, sir.

4 Q Page 56, a letter to Jim Quinn by Norman Juggert  
5 where you're copied.

6 A Yes, sir.

7 Q What I'm suggesting then is that Norman Juggert was  
8 very much involved in this Community Grace project. Would you  
9 agree with that?

10 A Oh, yes.

11 Q And that was done with, with your knowledge, wasn't  
12 it?

13 A Yes.

14 Q Now, as I noted a moment ago, there was a memo or a  
15 letter from Mr. Juggert to Jim Quinn where you were copied,  
16 and Jim Quinn is an accounting -- is an accountant who is an  
17 expert in IRS compliance matters? Correct?

18 A Yes, sir.

19 Q And he advises Trinity on audit procedures? Am I  
20 correct?

21 A He is our IRS Compliance Auditor, yes, sir.

22 Q And he is -- he was asked to give his opinion  
23 concerning the IRS ramifications of the loan from NMTV and  
24 Trinity to Community Grace? Am I correct?

25 A Yes, sir.

1           Q     Now, when the Community Grace matter first was  
2 brought to your attention it was brought to your attention by  
3 E. V. Hill? Correct?

4           A     Yes.

5           Q     And he approached you, didn't he?

6           A     Yes.

7           Q     And he was the one that asked NMTV and Trinity to  
8 participate?

9           A     Yes.

10          Q     And there came a time that you learned that Pastor  
11 Hill was an officer and a director and a stockholder of  
12 Community Grace? Am I correct?

13          A     Yes, sir.

14          Q     And he told you that or someone else told you that?

15          A     It came to my attention. I'm not sure who told me.

16          Q     And this came to your attention before this matter  
17 was put to the NMTV Board? Am I correct?

18          A     I'm not sure of that. I don't know when it came to  
19 my attention.

20          Q     Well, at the time the Board voted you were aware --  
21 voted on trying to assist Community Grace, I take it you were  
22 aware that Pastor Hill was an officer and a director and a  
23 stockholder of Community Grace?

24          A     I knew he was involved somehow in Community Grace,  
25 but I'm not at all sure that I knew that he would be a

1 shareholder and would be in line to personally profit from  
2 that.

3 Q Well, you've anticipated my next question and that's  
4 what it was. Did there ever come a time that Pastor Hill told  
5 you that he would personally profit from NMTV and Trinity's  
6 investment or loan to Community Grace?

7 A I'm not sure it was he who told me, but I certainly  
8 reached a point in time where I became aware of that.

9 Q But you don't recall whether he told you?

10 A No, sir, I don't.

11 Q And do you recall when you learned that Pastor Hill  
12 stood to, to personally financially gain from the proposed  
13 transaction with Community Grace?

14 A I couldn't put my finger on a specific point in  
15 time.

16 Q Maybe I can help your memory. Let's look at the  
17 minutes. What I'm trying to find, Dr. Crouch, is the minute  
18 when the resolution was adopted.

19 MR. SHOOK: Mr. Cohen, are you looking for Bureau  
20 Exhibit 404?

21 MR. COHEN: I thought you'd never tell me. Thank  
22 you.

23 MR. SHOOK: Volume 7.

24 MR. COHEN: Would you look at Bureau Exhibit 404?

25 MR. TOPEL: It's in Volume 7, Dr. Crouch.

1 DR. CROUCH: Thank you.

2 BY MR. COHEN:

3 Q That's the minute.

4 A I'm there, sir.

5 Q I was looking for the minute of the NMTV Board  
6 minute. That's what I'm looking for. I have to find it. I'm  
7 sorry that I, I don't have it.

8 MR. COHEN: Do you have it, Howard?

9 MR. TOPEL: I don't know what number the Bureau --

10 BY MR. COHEN:

11 Q I have it. It's the, it's the minute -- it's --  
12 I'll get you the exhibit number. It's Bureau Exhibit 405, and  
13 if you would turn to that, Dr. Crouch. Does that refresh your  
14 recollection as to when you learned of the information that  
15 I'm asking about? Tell me when you've found that minute?

16 A I'm there, sir.

17 Q That was October 15, 1992. You see that?

18 A Yes.

19 Q Does that help your recollection as to when you  
20 learned of his -- that is Pastor Hill's involvement or  
21 relationship?

22 A No. sir. That -- if I read it clearly, it might be  
23 in here. I'm not sure.

24 MR. TOPEL: --

25 BY MR. COHEN:

1 Q Spend as much time, spend as much time as you need  
2 to, to look at it to help your recollection, and I direct your  
3 attention to the second paragraph particularly.

4 A All right, sir. Yes, I do see that and it must have  
5 been October 15th in this Board meeting that I became aware of  
6 that.

7 Q Now, do you have a recollection of Dr. Hill stating  
8 at the Board meeting how he could -- how he would have  
9 personally have stood to gain from effectuation of this loan  
10 or investment?

11 A I don't remember that being spelled out, sir, no.

12 Q Were you aware that he, that he did stand to  
13 personally gain?

14 A I certainly didn't understand the full implications  
15 of what that meant or what impact that would have as far as  
16 Internal Revenue Service rules and regulations at this time.  
17 I learned that later from Mr. Quinn.

18 Q What did you learn later from Mr. Quinn?

19 A Mr. Quinn in I believe some correspondence and also  
20 in a telephone call that I had with him indicated to me that  
21 it would be improper for both Trinity Broadcasting as well as  
22 National Minority to take funds that had been generated from a  
23 non-profit corporation and invest them into essentially a, a  
24 for-profit corporation from which the directors could  
25 personally benefit.

1 Q And you learned of that information, I take it,  
2 subsequent to October 15th?

3 A I certainly believe so, yes.

4 Q Thank you. Now, to my knowledge the -- this is  
5 something that's obvious, but you will agree with me that the,  
6 the minute of October 15, 1992 was never effectuated in the  
7 sense that no funds were ever loaned or invested in Community  
8 Grace?

9 A That is correct.

10 Q Was there ever a, a document prepared for NMTV's  
11 files which reflected the fact that the investment or loan to  
12 NMTV was never consummated -- loan to Community Grace was  
13 never consummated?

14 A I'm not aware of any such document.

15 Q I want to turn to another matter. It's true, isn't  
16 it, that -- strike that. Describe, if you will, what Terrence  
17 Hickey's role is at TBN?

18 A He is -- his title is Assistant to the President.

19 Q And he, he and Jane Duff are both Assistants to the  
20 President?

21 A Yes, sir.

22 Q And do you have any other Assistants, Assistants to  
23 the President?

24 A Not by title, but --

25 Q And would you please describe Mr. Hickey's area of

1 responsibilities insofar as he acts as assistant to you?

2       A     It's a very wide range of duties and  
3 responsibilities. He -- areas in the financial matter are,  
4 are common to him. He screens pretty much my incoming  
5 correspondence and mail. He handles a wide range of duties  
6 and responsibilities that relate to our foreign stations and  
7 foreign broadcasting. He's, he's like a typical -- I think in  
8 your field you call them an A.A., an Administrative Assistant,  
9 that is almost -- could be involved in almost anything.

10       Q     Now, he's -- in his deposition he said that whatever  
11 was in your in box was his, his mandate. Is that a, is that a  
12 good description of the kinds of activities he pursued?

13       A     He would certainly review those things, yes, sir.

14       Q     Now, it's true, isn't it, that he made  
15 recommendations or he makes recommendations and gives input  
16 insofar as NMTV is concerned in the financial end?

17       A     He may have on, on occasion. I have no independent  
18 recollection of any such information or input.

19       Q     Well, he's an officer of NMTV, is he not?

20       A     I don't believe he is.

21       Q     I think we can get a stipulation from Mr. Topel that  
22 he's Assistant -- that he is an Assistant Secretary.

23               MR. TOPEL: Whatever the January 1992 minutes  
24 reflect.

25               MR. COHEN: Well, I want to satisfy Reverend Crouch



1 that I'm not misleading him.

2 DR. CROUCH: Well, what, what time frame are we  
3 speaking of, Mr. Cohen?

4 BY MR. COHEN:

5 Q I was speaking of right now. It was my information  
6 that he is, that he is as we speak Assistant Secretary -- an  
7 Assistant Secretary. If that's not accurate, I, I certainly  
8 want to stand corrected.

9 MR. TOPEL: Yes, sir. My information is that he is  
10 an Assistant Secretary.

11 BY MR. COHEN:

12 Q Mr. Topel would never -- he'd never mislead you and  
13 he'd certainly never mislead me. So tell me, now have I  
14 refreshed your recollection that Mr. Hickey is a, is a --

15 A Yes.

16 Q -- Assistant Secretary.

17 A Yes, he is.

18 Q Now -- but he does -- and I can show you documents  
19 which, if we need to, to refresh your recollection, but he  
20 does -- he is involved in the financial area concerning the  
21 operation of NMTV? Am I correct?

22 A He may have become involved on occasion. Primarily,  
23 though, that effort would be undertaken by the Director of  
24 Finance.

25 Q Didn't Mr. Hickey assist Mrs. Duff in connection

1 with the Wilmington purchase in giving input and assistance  
2 and securing a letter of credit?

3 A I believe he did. I think that would have been one  
4 of the unique situations where he might have -- where I  
5 believe he did get involved in assisting in acquiring a letter  
6 of credit for NMTV.

7 Q Now, what about Al Brown? Does he have any  
8 involvement in NMTV activities?

9 A He oversees generally the Finance Department which  
10 provides accounting and financial services to NMTV.

11 Q Now, the minutes do not reflect an annual meeting of  
12 NMTV in 1993 and I don't want to mislead you. I have no basis  
13 to believe there was an annual meeting. I have no document  
14 that reflects such a meeting. My question is was there an  
15 annual meeting of NMTV in 1993?

16 A Well, if there is no record or minutes of that  
17 meeting, it must not have occurred.

18 Q Do you have a recollection of an annual meeting for  
19 NMTV in 1993?

20 A No, sir.

21 Q Now, it's my understanding from reviewing the  
22 minutes commencing at the beginning of the organization of  
23 Translator Television, Inc. that officers and directors appear  
24 to have been elected each year, and I can show you the minutes  
25 if you need that to help you, and it appears to me that it was

1 a uniform practice of Translator Television, Inc. and then  
2 NMTV to elect officers and directors yearly. Would you agree  
3 with that?

4 A That was the general practice, yes.

5 Q And can you tell me whether -- why that practice  
6 wasn't followed in 1993 or was it?

7 A Well, of course, 1993 isn't over yet and perhaps one  
8 will yet be scheduled. I just -- I'm drawing a blank on that,  
9 Mr. Cohen. I'm sorry.

10 Q This is the first time this matter has -- you've  
11 given any thought to this?

12 A Yes, sir.

13 Q It was never brought to your attention before this  
14 minute, this instant, that NMTV did not elect officers in  
15 1993?

16 A No.

17 Q So this is the first time?

18 A To my memory.

19 Q Now, I'm correct that NMTV pays TBN no fees for the  
20 engineering services rendered by TBN on behalf of NMTV?

21 A I am not aware of any.

22 Q Now, there was a document which was admitted into  
23 evidence called an Agreement to Provide Business Services.

24 MR. COHEN: Do you know the number, Howard? I can  
25 find it if you don't.

1 MR. TOPEL: I don't because --

2 MR. COHEN: I can find it. I just wanted to -- here  
3 we are, Bureau Exhibit 337.

4 MR. TOPEL: That's in Volume 6.

5 DR. CROUCH: I'm there, sir.

6 BY MR. COHEN:

7 Q Yes. Now, it's my understanding, correct me if I'm  
8 wrong, that prior to the date this agreement was entered into,  
9 which was January 2, 1991, the services that are set forth in  
10 this agreement were provided by TBN to NMTV free, gratis. Is  
11 that correct?

12 A That is correct, sir.

13 Q Now, help me, Dr. Crouch. You testified that NMTV  
14 receives engineering services from TBN for free.

15 A Yes.

16 Q And Ben Miller who is the Director of Engineering  
17 for TBN is involved in that effort to provide engineering  
18 services to NMTV? Am I correct?

19 A Yes.

20 Q Is the, the Trinity policy on this matter reduced to  
21 writing?

22 A Providing engineering services?

23 Q Yes. Has it -- is there -- has it been memorialized  
24 in writing what is the -- what services TBN provides --  
25 engineering services TBN provides to NMTV free?

1           A     I'm not aware of any such memorialization.

2           Q     And has the extent of Mr. Miller's activities on  
3 behalf of NMTV, have they been reduced to writing?

4           A     Not to my knowledge.

5           Q     Now, Mr. Miller holds himself out as a Technical  
6 Consultant to NMTV? Is that correct?

7           A     I believe so.

8           Q     Yeah. And that is with your concurrence, I take it?

9           A     Yes, sir.

10          Q     And for how long has that practice been going on to  
11 your recollection?

12          A     Probably since the inception of NMTV/TTI.

13          Q     Now, whose idea was it, if you know, that Mr. Miller  
14 would call himself Technical Consultant to NMTV?

15          A     I don't know whose idea that was. I think it just  
16 sort of evolved.

17          Q     Was it your idea?

18          A     I have no memory of it being my idea.

19          Q     Do you recall anyone suggesting to you that this  
20 would be a good title for Mr. Miller insofar as he provides  
21 services --engineering services to NMTV?

22          A     No, sir.

23          Q     And am I correct that there's no document existing  
24 which describes what services Mr. Miller provides as a  
25 Technical Consultant to NMTV?

1 A I'm not aware of any, sir.

2 Q Now, you're familiar with a Trinity employee named  
3 George Horvath?

4 A Yes, sir.

5 Q And he is the Low Power Coordinator, as I understand  
6 it, for TBN? Am I correct?

7 A I believe so.

8 Q And am I correct that he also serves in the same  
9 function for NMTV?

10 A He, along with Mr. Miller, would donate certain  
11 services to NMTV, I believe, yes.

12 Q Now, do you have knowledge as to whether Mr. Horvath  
13 was told when he was employed that he would be expected to,  
14 using your word, donate services to NMTV?

15 A I have no such knowledge.

16 Q When did Planck Construction Company -- strike that.  
17 Let me ask you this question. There came a time when Trinity  
18 purchased either all or a majority of the shares of Planck  
19 Construction Company? Is that correct?

20 A Yes.

21 Q And when was that? What's your best recollection?

22 A It would be the late 80s, early 90s. I don't  
23 remember the exact date.

24 Q And did Trinity purchase all of the shares of Planck  
25 or some of the shares?

1           A     I think a small percentage was left with Mr. Planck,  
2 perhaps 10 percent, but I'm not sure.

3           Q     And then there came a time when Mr. Planck purchased  
4 the shares back from Trinity? Is that correct?

5           A     Yes, sir.

6           Q     And can you tell me when that occurred?

7           A     I can't give you a specific date.

8           Q     Give me your best recollection.

9           A     It would have been '91, '92, along in there.

10          Q     Did he purchase all of the shares back that Trinity  
11 owned?

12          A     I believe he did.

13          Q     And was this an all cash deal or was it a terms  
14 deal?

15          A     It was a, it was a -- I believe it was a terms deal.

16          Q     And what is the, what is the payout, over what  
17 period of time?

18          A     I'm sorry, sir, I don't -- I would have to review  
19 documents to determine that. I have no independent  
20 recollection of that.

21          Q     And was there -- so is it your understanding that,  
22 that Planck -- Jim Planck is paying Trinity a certain amount  
23 of money each year until he has completed paying off the --  
24 what's required to regain the shares?

25          A     I believe generally it's in the form of discounts

1 that he grants to us on the purchase of equipment that we  
2 secure from him. I believe that to be the case. I'm not  
3 1,000 percent sure.

4 Q Who in the Trinity organization was responsible for  
5 negotiating this arrangement with Mr. Planck?

6 A Which? The acquisition or the sale?

7 Q Both.

8 A I think Mr. Miller would have been primarily engaged  
9 and involved in that, perhaps along with Mrs. Duff.

10 Q And what about Mr. Juggert? Was he involved?

11 A I believe he probably would have been from the legal  
12 aspect, yes, sir.

13 Q Now, the discounts that you've just referred to, do  
14 they refer to services rendered also by Planck in constructing  
15 facilities for Trinity and NMTV?

16 A They may.

17 Q Now, we have this in the record, but I think it  
18 would be good for you to identify Media Services Company.

19 A Media Services is a division of Trinity Broadcasting  
20 Network that in essence builds and collects for the time that  
21 is made available to other ministry clients.

22 Q Those -- it's the non-TBN programming?

23 A Yes, sir, non-TBN programming.

24 Q And am I correct that Media Services provides  
25 services for the Portland NMTV station?



1 A Yes.

2 Q And what percentage agency commission does Media  
3 Services retain for representing the Portland Station?

4 A I believe it's five percent.

5 Q Is that a different percentage than is charged other  
6 stations?

7 A No.

8 Q It's a standard, it's a standard commission?

9 A To my knowledge it's a standard five percent for any  
10 and all stations that Media Services represents.

11 Q Let's see if I can have the document here to help  
12 you -- help us.

13 MR. COHEN: What I want to show the witness, Howard,  
14 is Glendale Exhibit 214 which has been received. Can you show  
15 it to the witness?

16 BY MR. COHEN:

17 Q Dr. Crouch, you should be aware that is not an  
18 agreement with the NMTV station. This is an agreement that  
19 is, on it's face it explains, is with Al Cooper for, for KMLM  
20 Television. You'll note in the second paragraph it states  
21 that, "Media Services Agencies will retain 15 percent of all  
22 cash receipts." Now, was this a unique arrangement with Mr.  
23 Cooper?

24 A I believe that subsequent to this date, April 8,  
25 1991, that amount was reduced to all stations or entities that